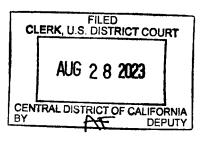
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IN THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

JAMES KELP BROWN,

Defendant.

Case No. 23-MJ-4399

ORDER OF DETENTION

[Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. §§ 3143(a)(1), 3148(b]

I.

On August 28, 2023, Defendant James Kelp Brown, who was hospitalized, made his initial appearance in this district – by consenting to appear by telephone and waiving personal appearance - following his arrest on the petition for revocation of supervised release and warrant for arrest issued in the Western District of Texas on June 29, 2023. Deputy Federal Public Defender Ijeoma Eke was appointed to represent Defendant. The government was represented by

Assistant U.S. Attorney Alexandra Kelly. Defendant did not seek pretrial release. 1 Pretrial Services submitted a report recommending that Defendant be detained. 2 II. 3 Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 4 3143(a) following Defendant's arrest for alleged violation(s) of the terms of 5 Defendant's \square probation / \boxtimes supervised release, 6 The Court finds that: 7 XDefendant has not carried his burden of establishing by clear Α. 8 and convincing evidence that Defendant will appear for further proceedings as 9 required if released [18 U.S.C. § 3142(b-c)]. This finding is based on: 10 \boxtimes allegations in the petition: while on supervised release for a 2013 11 conviction for possession with intent to distribute methamphetamine, 12 Defendant was charged with driving under the influence, failed to report 13 to his Probation Officer after his release from custody on this charge, 14 failed to report a change of residence and engaged in the excessive use of 15 alcohol, in violation of the conditions of supervised release. At this time, 16 Defendant was also on supervised release, under the same terms and 17 conditions, for a 2012 conviction for bank fraud. 18 ☑ unstable residential history – defendant has failed to report a change 19 in residence 20 ☑ outstanding arrest warrant, issued on August 14, 2023 in Texas, for a 21 homicide charge 22 □ use of aliases 23 ☑ unknown background information and unknown bail resources 24 25 B. \boxtimes Defendant has not carried his burden of establishing by clear 26 and convincing evidence that Defendant will not endanger the safety of any 27 28

other person or the community if released [18 U.S.C. § 3142(b-c)]. This finding is based on: \(\times\) criminal history includes felony convictions for evading arrest, narcotics related offenses and bank fraud, and misdemeanor convictions for assault and driving under the influence \boxtimes allegations in the petition (see above) III. IT IS THEREFORE ORDERED that the defendant is remanded to the custody of the U.S. Marshal to be removed to the Western District of Texas. The Court directs government counsel to follow up with government counsel in the charging district regarding Defendant's next scheduled date, and provide this information to DFPD Eke in order to monitor the status of defendant's transportation to, and arrival in, the charging district for his next appearance. Dated: August 28, 2023 ALKA SAGAR UNITED STATES MAGISTRATE JUDGE